

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

MONICA WILLIAMS-HARVEST,

Plaintiff(s),

v.

WAL-MART STORES, INC.,

Defendant(s).

Case No. 2:10-CV-1956 JCM (RJJ)

ORDER

Presently before the court is *pro se* plaintiff Monica Williams-Harvest's (hereinafter "plaintiff") motion for case to continue in light of new developments. (Doc. # 39). Defendant Wal-Mart Stores, Inc. (hereinafter "defendant") did not file a response, and the deadline to respond has now passed.

This is a personal injury suit filed in 2010. Plaintiff slipped and fell in one of defendant's stores, causing her injuries. Plaintiff sued defendant in state court asserting claims for negligence, negligence per se, premises liability, and res ipsa loquitor. Defendant then removed the case to federal court. (Doc. # 1).

On August 8, 2011, defendant moved for summary judgment. (Doc. # 17). Plaintiff did not respond, and defendant filed a notice of non-opposition. (Doc. # 19). On September 13, 2011, Judge Reed granted defendant's motion for summary judgment. (Doc. # 20). On the same date, the clerk of court entered judgment in favor of defendant and closed the case. (Doc. # 21).

On September 29, 2011, plaintiff filed a notice of appeal. (Doc. # 23). On February 8, 2012, the Ninth Circuit dismissed the appeal for failure to file the opening brief. (Doc. # 28). Plaintiff then filed a motion for reconsideration and for reinstatement of the appeal.

1 The Ninth Circuit granted the motion, withdrew its prior order, and reinstated the appeal.  
2 (Doc. # 31). On February 14, 2013, the Ninth Circuit affirmed the district court's grant of summary  
3 judgment. (Doc. # 35).


4 Two years later, plaintiff filed the instant motion. (Doc. # 39). Plaintiff asks the court to  
5 continue this case in light of new developments and award damages. In her motion, plaintiff details  
6 her injuries and medical problems, attaching corroborating medical records. (Doc. # 39).

7 Plaintiff does not provide grounds to reopen the case. The court granted summary  
8 judgment for defendant and closed this case in 2011. (Docs. # 20, 21). The court of appeals  
9 reviewed this ruling *de novo* and affirmed summary judgment, finding that plaintiff failed to raise  
10 a genuine dispute of material fact. (Doc. # 35).

11 Accordingly,

12 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff's motion for  
13 case to continue in light of new developments, (doc. # 39), be, and the same hereby is, DENIED.

14 DATED April 14, 2015.

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16 UNITED STATES DISTRICT JUDGE